

**State of Hawai'i**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**Division of State Parks**  
**Honolulu, Hawai'i 96813**

December 12, 2008

Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

**SUBJECT:** Annual Renewal of Revocable Permits (RP's) on the Islands of Kauai, Hawaii and Oahu, Hawaii

**STATUTE:** Section 171-55, Hawaii Revised Statutes, reads as follows:

Permits. Notwithstanding any other law to the contrary, the board of land and natural resources may issue permits for the temporary occupancy of State lands or interest therein on a month-to-month basis by direct renegotiation without public auction, under conditions and rent which will serve the best interest of the State subject, however, to those restrictions as may, from time to time, be expressly imposed by the board. A permit on a month-to-month basis may continue for a period not to exceed one year from the date of its issuance; provided that the board may allow the permit to continue on a month-to-month basis for additional one-year period.

**BACKGROUND:**

As part of its annual review of RP's, the Board may either approve or disapprove the continuation of existing revocable permits covering the State Parks lands on a month-to-month basis for another year or without any changes in their existing rental rates. Such action is taken in recognition of prevailing economic conditions, and is consistent with Board approved renewal of RP's managed by the Land Division on October 24, 2008.

The current list of RP's as shown on Exhibit "A" is due to renew effective from January 1, 2009. Staff recommends the Board to approve the continuation of the RP's as listed on Exhibit "A" until December 31, 2009 at the current rental. The Division is examining revenue potential in a number of State Park areas, and will be recommending a new fee structure in the future.

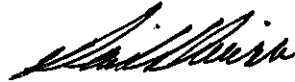
In addition to the other listed RP's, this request includes continuation of RP's to five (5) non-profit organizations for camps at Kokee and Waimea Canyon State Parks. The Board previously approved issuing direct leases to those groups. We are working with the Attorney General's office on these leases, and anticipate executing the leases shortly. This request is to be sure there is no break in permitted occupancy of the premises.

RECOMMENDATIONS:

That the Board agrees to:

- A. Approve the continuation of the revocable permits listed on Exhibit "A" on a month-to-month basis for another one-year period up to December 31, 2009 except for permits that are in arrears of rental payment or other non-monetary default for more than 60 days and/or as approved for forfeiture by a separate Board action. Permits in arrears of rental or other non-monetary default for 60 days or more as approved by the Board for forfeiture shall not be renewed.
- B. Approve no change in current monthly rent through December 31, 2009 for revocable Permits as listed in Exhibit A, provided however, that the Land Board reserves the right at any time to review and reestablish new rental charges for any Revocable Permit to reflect market conditions or the fair market rental for the rights and privileges granted by such Revocable Permit.

Respectfully submitted,



DANIEL S. QUINN  
State Parks Administrator

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson

## Exhibit "A"

### REVOCABLE PERMITS

#### DISTRICT – OAHU

<u>Lessees</u>	<u>Old RP #</u> <u>TMK</u>	<u>Use</u>	<u>Leased Area</u>	<u>Collected Revenues</u>
Wesley & Joan Cash	SRP-6843 (1)4-2-13:10	Pasture	17 acres	\$ 858.00

#### DISTRICT – KAUAI

<u>Permittees</u>	<u>Old RP #</u> <u>TMK</u>	<u>Use</u>	<u>Leased Area</u>	<u>Rent</u>
Na Pali Kayak, Inc	SP-0044 Na Pali Coast	Boat Landing	N/A	\$75/mo or 2% of gross
Kayak Kauai	SP-0045 Na Pali Coast	Boat Landing	N/A	\$75/mo or 2% of gross
Outfitters Kauai	SP-0046 Na Pali Coast	Boat Landing	N/A	\$75/mo or 2% of gross
Lady Ann Cruises	SP-8701 Na Pali Coast	Boat Landing	N/A	\$5/person or 5% of gross
Na Pali Zodiac	SP-0004 Na Pali Coast	Boat Landing	N/A	\$5/person or 5% of gross
Kauai Sea Tours	SP-0005 Na Pali Coast	Boat Landing	N/A	\$5/person or 5% of gross
Wailua Marina Gift Shop	SP-0001 Wailua River	Commercial	1058 sqft	\$200/mo or 10% of gross
Wailua Marina Restaurant	SP-0003 Wailua River	Commercial	7832 sqft	\$ 27,993.60 annually
Ka Imi Naauao O Hawaii Nei	SP-0189 Koke'e	Non-profit	1.0 acre	\$ 2,520.00 annually
Hawaii Assn. 7 <sup>th</sup> Day Adventists	SP-0190 Koke'e	Non-profit	4.06 acres	\$ 132.00 annually
Hawaii United Methodist	SP-0192 Koke'e	Non-profit	3.05 acres	\$ 132.00 annually
Kauai Christian Fellowship	SP-0193 Koke'e	Non-profit	.99 acre	\$ 2,520.00 annually
Hawaii Conference Church	SP-0191 Koke'e	Non-profit	.50 acre	\$ 132.00 annually

#### DISTRICT – HAWAII

S.M.C.A. Inc.	SP-0056	Commercial	5832 sqft	\$ 14,400 annually
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